DETAILED COMMENTS
ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
OF THE PROPOSED
CALHOUN COUNTY NAVIGATION DISTRICT
MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT

BACKGROUND:

Thank you for the opportunity to review the Calhoun County Navigation District's Matagorda Ship Channel Improvement Project Draft Environmental Impact Statement (DEIS). EPA served as technical advisor for the preparation of the EIS for this project and participated on the project Dredged Material Management Plan (DMMP) interagency coordination team. The purpose of that effort was to evaluate alternatives for environmentally acceptable placement areas for the dredged material which will be dredged over a 50 year project planning horizon.

The resulting proposed multi-use dredged material placement alternative is designed such that roughly 80% of the construction material and 9% of the maintenance material will be used beneficially. The dredged material will be used to: 1) create approximately 298 acres of oyster reefs; 2) cover/cap 485 acres of mercury contaminated bay bottom sediments (in accordance with the remediation described in the 2001 Alcoa Superfund Site Record of Decision and the 2005 Remedial Action Work Plan); 3) create 570 acres and protect 432 acres of marshes; 4) provide three miles of beach nourishment and four miles of beach protection; and 5) construct 325 acres of shallow, unvegetated sea grass platform. According to this plan, open-bay placement of maintenance material in Lavaca Bay will cease, which should reduce turbidity previously associated with that practice.

This DEIS also includes studies for the authorization by the Corps, with EPA concurrence, for the one-time use of a new Ocean Dredged Material Placement Site (ODMDS) for disposal of the new work material. Accordingly, the DEIS contains an ODMDS analysis covering both the maintenance dredged material disposal site and the new work dredged material disposal site. This document, as well as the accompanying Site Monitoring and Management Plan (SMMP) were prepared according to early coordination agreements between EPA and the Corps.

COMMENTS:

Page L-11, Section 1.2.1, first sentence: This sentence should be revised to read: "The federal action for which this document was prepared is the possible designation by EPA or the Corps of a site or sites for the ocean placement of new work material to be dredged for the MSC Improvement Project."

Page L-16, Section 1.2.2.2, last sentence: This sentence should be revised to read: "All other alternatives, including the No-Action alternative, have negative consequences associated with them."

Page L-31, Section 4.1, last paragraph, first sentence: Delete the word "discrete."

Pages L-32 and L-33, Sections 4.1.1 -4.1.6: It would be helpful to include a map depicting the general locations of channel reaches 7, 9, 10, 11, 12, and 14.

Page L-33, Section 4.1.6, first paragraph, last two sentences: It would seem logical that the LC50 value be specified. Also, it seems that another sentence is called for between these two to explain how you logically get from a calculated LC50 value to an LPC and then to a conclusion that the material is acceptable under the ocean dumping regulations.

Page L-38, Section 6.1.4: This response does not provide an adequate explanation of the evaluations employed to determine site size. At a minimum, this section could reference the material provided in Sections 5.0, 5.1, and 5.2.

Page L-39, Section 6.1.5: This response could be augmented with a reference to Section 1.2.2.3.

Page L-40, Section 6.2.3: The point of this section is to discuss the potential for dredged material disposed at the site to be transported to the beaches and the Matagorda Island National Seashore. Simply listing the distance of the amenities from the disposal site alone is not an adequate response.

Page L-40, Section 6.2.5: This response could be augmented by including a discussion of the Site Management and Monitoring Plan, included as Attachment C to Appendix L.

Page L-41, Section 6.2.9, fifth sentence: The acknowledgement that there appears to be long-term impacts on grain size due to disposal at the maintenance ODMDS should be followed by an explanation as to why, then, continued disposal at the site is acceptable.

Page L-42, Section 6.2.11: The point of this section is to discuss the potential for dredged material disposed at the site to be transported one mile to the cluster of historic sites to the west. There needs to be included some statement that the dredged material is not expected to be transported this far in this directions for some specific reason.

Page L-43, Section 7.0, first paragraph, first and second sentences: The word "tempered" does not seem appropriate. Suggested wording change: "One of the ODMDS management responsibilities ... ambient monitoring programs. In addition, 40 CFR 228.9 (a) states that, 'The monitoring program, if deemed necessary...'."

Page L-43, Section 7.0, second paragraph, first sentence: Suggested wording change: "These are two complementary approaches which may be applied to determining unfavorable trends."

Page L-44, Section 7.1, last paragraph: What is the rationale for postponing a decision on the frequency of monitoring the new work site? It would seem that this information should be included in the SMMP.

Appendix L, Attachment A figures: Please explain the term "TIN Elevation" in the key.

Appendix L, Attachment C, Site Management and Monitoring Plan: The title and contents of the plan should be revised to include both the new work material and the maintenance material. The current SMMP for the maintenance material is in need of updating anyway and this analysis could be used to accomplish that update since it also contains analyses of the maintenance material site management. Alternatively, two SMMPs could be included, one for each site.

Appendix L, Attachment C, page 6, last paragraph: This seems to imply that the new work material was not tested, though the DEIS (page 3-62, Section 3.9.4.1, next to last paragraph) indicates that the material was tested. This section should reference the testing results rather than simply offering an unsubstantiated claim that the new work material should contain fewer constituents of concern that the historically dredged maintenance material.

Appendix L, Attachment C, page 7, Section VIII, second paragraph: It would be appropriate to append a copy of the National Marine Fisheries Service correspondence to the SMMP, once it is signed in final form.

Appendix L, Attachment C, page 9, Sediment Chemistry: Please explain the rationale for not specifying in this document where the monitoring stations will be and providing a sketch and geographic coordinates for those sites.

Appendix L, Attachment C, page 10, Benthos: See comments above. Also, please explain why this document does not specify frequency of monitoring, rather than postponing that decision until some time prior to construction.

Appendix L, Attachment C, page 10, Bathymetric Surveys, first sentence: This indicates that monitoring will continue "as scheduled" if mounding occurs. However, the SMMP fails to establish a schedule.

Appendix L, Attachment C, page 12, Maintenance Material: It would seem that this section should address, in some fashion, the change in sediment characteristics to the maintenance ODMDS observed as a result of previous dredging. A conclusion should follow which discusses the acceptability or non-acceptability of this situation.

Please correct the National Ambient Air Quality Standards (NAAQS) table on p.3-8 to reflect these recently promulgated PM standards. On October 17, 2006, EPA revised the NAAQS for PM2.5 and PM10 (71FR 61236). The revised PM NAAQS are:

PM10: annual standard has been revoked; 24-hr standard unchanged.
PM2.5: annual standard unchanged; 24-hr standard dropped to 35 ug/m3.